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November 4, 2011

VIA E-FILE

The Honorable Cynthia T. Brown
Chief, Section of Administration
Surface Transportation Board
395 E. Street, S.W., Room #100
Washington, DC 20423-0001

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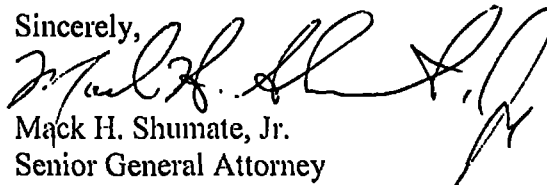
**NOTICE OF NEGOTIATED INTERIM TRAIL USE/
RAIL BANKING AGREEMENT**

**Re: Union Pacific Railroad Company - Abandonment - In Carver and Scott Counties,
Minnesota, (Chaska Industrial Lead); STB Docket No. AB-33 (Sub-No. 255)**

Dear Ms. Brown:

This is to advise the Board that the Union Pacific Railroad Company ("UP") and Carver County, Minnesota ("Carver County") closed the above-referenced Negotiated Interim Trail Use/Rail Banking Agreement on October 21, 2011. The agreement covered that portion of the Chaska Industrial Lead extending from M.P. 38.00 near Merriam to M.P. 33.00 in Chaska, Minnesota. A letter dated October 24, 2011 from Martin Walsh, Parks Director for the County of Carver, Minnesota is attached hereto confirming the closing of the new Negotiated Interim Trail Use/Rail Banking Agreement. A Notice of Partial Consummation of that portion of the Chaska Industrial Lead from M.P. 38.00 to M.P. 38.60 near Merriam, a distance of .60 miles and that portion of the Chaska Industrial Lead near M.P. 36.17 where the Minnesota River Bridge and Main Street Bridge are located in Carver and Scott Counties, Minnesota was previously filed with the Board and the Minnesota Public Utilities Commission on September 8, 2010.

Sincerely,


Mack H. Shumate, Jr.
Senior General Attorney

Attachment

cc: Martin Walsh, Carver County Parks
James Harrell, Union Pacific Railroad Company
Mark Themig, Parks and Trails Program Manager

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Carver County Parks

11360 Highway 212
Suite 2
Cologne, MN 55322
Phone (952) 466-5250 Fax (952) 466-5223
www.co.carver.mn.us/parks

Department of Public Works

11360 Hwy. 212 West, Suite 1
Cologne, Minnesota 55322
Phone (952) 466-5200
Fax (952) 466-5223

October 24, 2011

Ms. Cynthia T. Brown, Chief
Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D. C. 20423

Subject: STB Docket AB-33 Sub-No 255
• Negotiated Interim Trail Use/ Rail Banking Agreement


Dear Ms. Brown:

I am pleased to inform you that Carver County and Union Pacific Railroad have negotiated an interim trail use/rail banking agreement for the Chaska Industrial Lead extending from Milepost 38 near Merriam to Milepost 33.0 in Chaska. Ownership of the Chaska Industrial Lead was transferred to Carver County on October 21, 2011.

The Surface Transportation Board granted previous trail use negotiation periods and extensions with the most recent period to conclude October 27, 2011.

Please inform me if there is anything additional Carver County needs to provide the Surface Transportation Board. I can be reached at 952-466-5252, by email at mwalsh@co.carver.mn.us, or in writing at the above address.

Sincerely,


Martin Walsh
Parks Director

RECEIVED

OCT 28 2011

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